

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claims 1-2 (Canceled).

3. (Currently Amended) A computer implemented method for regulating data consumption in a wireless network, comprising the steps of:

storing an account for each of a plurality of subscribers of the wireless network, each account having a an upstream and a downstream balance that tracks a wireless network data consumption of the respective subscriber of the wireless network;

imposing a bandwidth limitation on a subscriber of the wireless network responsive to either the upstream or downstream balance of the account of that subscriber of the wireless network dropping below a defined level; and

for each account, crediting the balance of the respective account on an intermittent basis.

4. (Original) The method of claim 3, wherein the step of imposing the bandwidth limitation includes causing an existing bandwidth limitation to be more restrictive.

5. (Original) The method of claim 3, wherein the step of crediting is performed on a periodic basis.

6. (Original) The method of claim 3, wherein the step of crediting includes crediting the balance of each account by an amount that depends upon the balance of the respective account.
7. (Original) The method of claim 3, further including a step of reducing a bandwidth limitation on one of the subscribers responsive to the balance of the account of that subscriber rising above a predetermined level.
8. (Original) The method of claim 7, wherein the step of reducing includes releasing the bandwidth limitation.
9. (Original) The method of claim 3, further including a step of, for each of the subscribers, reducing the balance of the account of the respective subscriber by an amount based upon a volume of network data consumption by that subscriber.
10. (Original) The method of claim 3, further including a step of sending information to each of the subscribers indicating the balance of the account of each respective subscriber.
11. (Currently Amended) The method of claim 3, wherein the upstream and downstream balance for each account is an upstream balance presented to the user.

Claims 12 (Canceled).

13. (Original) The method of claim 3, wherein the balance for each account is a burst balance.

14. (Original) The method of claim 3, wherein imposing the bandwidth limitation includes imposing the bandwidth limitation on the subscriber responsive to the balance of the account of that subscriber dropping below a defined level and at further depending upon least one of a time of day and a current network congestion level.

15. (Currently Amended) ~~A~~ The method of claim 3 comprising regulating a bandwidth available to a network subscriber based on whether a predetermined volume of data has previously been consumed by the subscriber.

16. (Original) The method of claim 15, wherein the bandwidth is regulated based on whether the predetermined volume of data has been consumed by the subscriber over a defined window of time.

17. (Original) The method of claim 15, further including a step of sending information to the subscriber indicating whether the bandwidth is being regulated.

18. (Currently Amended) ~~In a network coupled to a plurality of subscribers, an apparatus~~ The method of claim 3 wherein the wireless network is configured to regulate a

bandwidth available to one of the subscribers based on whether a predetermined volume of data has previously been consumed by that subscriber.

19. (Original) The apparatus of claim 18, wherein the apparatus includes a computer coupled to a database, the database storing an account balance for each of the plurality of subscribers, the account balance depending upon a volume of data previously consumed by a respective subscriber.

20. (Original) The apparatus of claim 19, wherein the computer is configured to regulate the bandwidth available to one of the subscriber responsive to the account balance of that subscriber dropping below a defined level.

21. (Currently Amended) A computer implemented method in a wireless network for regulating data consumption in a network, comprising steps of:

storing a plurality of balances an upstream balance and a downstream balance for each of a plurality of subscribers of the wireless network, each balance tracking a different aspect of wireless network data consumption of the respective subscriber;

imposing a bandwidth limitation on a subscriber responsive to at least one of the balances of that subscriber of the wireless network dropping below a defined level; and

for each subscriber of the wireless network, crediting at least one of the balances of the respective subscriber of the wireless network on an intermittent basis.

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Claim 22. (Canceled)

23. (Original) The method of claim 21, wherein the plurality of balances for each subscriber are in a same account of the respective subscriber.